

Report Date: April 25, 2014

United States District Court
for the
Eastern District of Washington

FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

Apr 25, 2014

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Cody Nathaniel Thomas

Case Number: 0980 2:13CR02092-040

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonn R. Suko, Senior U.S. District Judge

Date of Original Sentence: March 5, 2014

Original Offense: Theft of Gaming Establishment Less Than \$1,000, 18 U.S.C. § 1167(a)

Original Sentence: Prison 75 days; TSR - 12 days Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: March 16, 2014

Defense Attorney: Terence M. Ryan Date Supervision Expires: March 15, 2015

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1 **Special Condition #16:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Cody Thomas consumed alcohol on April 20, 2014.

On April 21, 2014, the undersigned officer conducted a home visit at the defendant's listed residence. During the home visit, a Breathalyzer test was administered on the defendant, which tested positive for alcohol (BAC level of .05). Mr. Thomas initially denied any alcohol use but subsequently admitted to consuming approximately seven shots of tequila on April 20, 2014.

2 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Cody Thomas failed to reside at his listed residence on April 24, and 25, 2014.

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Contacted with the defendant's mother revealed the defendant left the home on April 23, 2014, and had not returned home.

3 **Special Condition #15:** You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Cody Thomas failed to report to Merit for a urinalysis test on April 24, 2014.

On April 25, 2014, the undersigned officer received a letter from Merit stating the defendant failed to report to their office on April 24, 2014, for a urinalysis test.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4/25/2014
s/Jose Vargas
Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

No Action
 The Issuance of a Warrant
 The Issuance of a Summons
 Other

John P. Hutton
Signature of Judicial Officer

4/25/14
Date